

City of Culver City, California
City Council Agenda Item Report

Meeting Date: 10/22/07

Item Number: C-9

AGENDA ITEM: Approval of Amendment to Existing Professional Services Agreement with John L. Hunter and Associates, Inc. to Provide Environmental Services in Support of the City's Stormwater and Urban Runoff Program (P-497)

Contact Person/Dept.: Damian Skinner/
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Fiscal Impact: Yes ☒ No ☐

General Fund: Yes ☒ No ☐

Public Hearing: ☐

Action Item: ☒

Attachments: ☒

Public Notification:

Master Notification List, John L. Hunter and Associates on 10/03/2007

Department Approval:

Charles D. Herbertson 10/11/07

City Attorney Approval:

Carol A. Schwab (10/17/07)

Fiscal Impact Review:

Marlee Chang (by N. Kimball) (10/17/07)

City Manager Approval:

Jerry B. Fulwood (10/17/07)

RECOMMENDATION:

Staff recommends the City Council approve an amendment to the existing professional services agreement with John L. Hunter and Associates, Inc. (JLHA), to extend their contract to March 31, 2008, for an additional amount not to exceed \$57,043 for the purpose of providing continued professional environmental services to support the City's Stormwater and Urban Runoff Program (Program), P-497.

BACKGROUND:

On January 23, 2006, the City Council authorized entering into a professional services agreement with John L. Hunter and Associates (JLHA), Inc. to provide environmental services in support of the City's stormwater pollution prevention and discharge program for a not-to-exceed amount of \$47,653. The scope of services includes completing mandatory inspections of an estimated 550 businesses and providing Standard Urban Stormwater Mitigation Plan (SUSMP) and Local Stormwater Pollution Prevention Plan (LSWPPP) review for certain proposed development projects. The professional services agreement provides critical support to staff so that the City's Program can adequately address the increasingly complex State requirements related to the National Pollution Discharge Elimination System (NPDES) and Total Maximum Daily Loads (TMDL) regulations. JLHA has successfully completed its inspections of 424 businesses (the remaining 131 of the estimated total of 550 businesses were verified either inactive or closed), for a total cost of \$28,780, ahead of the December 30, 2006 deadline specified in the municipal stormwater program NPDES permit. In addition, JLHA has provided SUSMP reviews for 35 projects and LSWPPP reviews for 4 projects, for a total cost

City of Culver City, California
City Council Agenda Item Report

of \$11,338. JLHA's plan check fees did not impact the City's budget as these fees were recouped from developers. In addition, JLHA has provided NPDES inspections on an as-needed basis, when time-sensitive complaints were received from the public and other City departments. Also, at the request of the City staff, JLHA is working on creating LSWPPP and SUSMP templates for developers. In addition, JLHA has provided leadership for the Santa Monica Bay/Ballona Creek Watershed Management Committee of which Culver City is the chair.

The new Stormwater NPDES Permit, which mandates the requirements for businesses and SUSMP and LSWPPP plan checks and succeeds the existing 2001 permit, is scheduled to be adopted by the Regional Water Quality Control Board in November or December of this year. Until the time a new permit is in place, the City must continue to implement the existing requirements, including the SUSMP and LSWPPP plan checks. The City has completed the required inspections of critical sector businesses that are currently required twice within the 5-year permit cycle. Thus, the scope in the JLHA proposal under consideration only includes inspections specifically prompted by a complaint or on a need basis.

DISCUSSION:

On May 29, 2007 the Stormwater Program Manager took an extended leave of absence. . On August 31, 2007, the Stormwater Program Manager resigned from the City.

The recruitment for a new Stormwater Program Manager is under way. Until the position is filled, staff will need the assistance of JLHA to continue the City's stormwater program.

JLHA will assist the City with the following NPDES related tasks:

- Participate in and/or facilitate mandatory meetings (currently Culver City is the chair of Ballona Creek and Santa Monica Bay Watershed Permittee meeting) and negotiating on behalf of the City regarding the pending municipal stormwater permit reissuance;
- Prepare and coordinate standard conditions of NPDES requirements for proposed construction projects;
- Meet and correspond with construction project applicant teams to facilitate SUSMP and LSWPPP plan check submittal, comments, and approval processes;
- Provide updated Standard Urban Stormwater Mitigation Plan (SUSMP)-related forms, instruction, and guidelines to developers;

City of Culver City, California
City Council Agenda Item Report

- Conduct stormwater inspections of large construction projects, and when necessary, conduct enforcement activities;
- Review and approve LSWPPPs for large construction projects;
- Provide NPDES-related review of various Environmental Impact Reports, proposals, scopes of work, and field questions, at the request of other City departments, to ensure consistency with state and federal water quality regulations;
- Investigate urban runoff complaints and spill incidents and provide necessary follow-up actions;
- Submit annual reports on behalf of the City to demonstrate the City's compliance with both the municipal stormwater permit as well as general industrial stormwater permits (for Transfer Station and Transportation Facility);

On March 6, 2007, the City Council approved a motion to extend JLHA's contract to September 30, 2007 to assist staff during the absence of the Stormwater Program Manager. Staff is seeking another six month extension to assist staff with the aforementioned tasks during the recruitment for a new program manager and the training of new Engineering Division staff to provide plan check support for the NPDES program.

FISCAL ANALYSIS:

There are sufficient carryover funds available in the Engineering Services (42000497.612100) account for the Stormwater Discharge Program/NPDES Project (CIP Project No. P-497) to cover the additional \$57,043 for the proposed professional services agreement. The contract activities with JLHA will be reduced once a new Stormwater Program Manager is hired and Engineering staff is trained to take over some NPDES plan checking responsibilities

ATTACHMENTS:

- JLHA Proposal with Scope of Services.

MOTIONS:

That the City Council:

City of Culver City, California
City Council Agenda Item Report

1. Approve an amendment to the existing professional services agreement with John L. Hunter and Associates, Inc. to continue to provide environmental services in support of the City's Stormwater Pollution Prevention and Discharge Program until March 31, 2008, for an additional not-to-exceed amount of \$57,043 and

2. Authorize the City Attorney to prepare the necessary documents and authorize the City Manager to execute those documents on behalf of the City.